



U.S. Department of Justice

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December 16, 2009

FILED ELECTRONICALLY

Hon. Stanley R. Chesler
United States District Judge
U.S. Post Office & Courthouse
Federal Square
Newark, New Jersey 07102

Re: United States v. Dennis J. Oury and Joseph A. Ferriero, Crim. No. 08-616

Dear Judge Chesler:

This letter responds to Mr. Hayden's letter of December 14, indicating that defendant Ferriero intends to request that any decision on his post-trial motions be postponed until after the U.S. Supreme Court resolves the honest services cases currently pending before it.

The United States agrees that based on the questions posed at oral argument in two of those three cases (Black v. United States and Weyhrauch v. United States), a continuance in this matter is advisable. It appears possible that the Court will issue a ruling that is dispositive of one or more of the claims in defendant's motions. The United States thus respectfully requests that *all* proceedings in this matter be adjourned (including argument on defendant Ferriero's motions and the sentencing of both defendants), pending resolution of Black, Weyhrauch, and Skilling v. United States, the third of which is now set for argument in March 2010.

Thank you for your consideration of this letter.

Respectfully,

PAUL J. FISHMAN
United States Attorney

s/Rachael A. Honig

By: RACHAEL A. HONIG
Assistant U.S. Attorney

cc: Joseph A. Hayden, Jr., Esq. (via ECF)
Gerald Krovin, Esq. (via ECF)

12/17/09